

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

ADVANCED TECHNOLOGY  
CORPORATION, INC.,

Plaintiff,

v.

INSTRON, INC., TINIUS OLSEN  
INTERNATIONAL CO., MTS SYSTEMS  
CORPORATION, and ASTM  
INTERNATIONAL,

Defendants.

Case No. 1:12-CV-10171-JLT

**DEFENDANT INSTRON'S MOTION FOR LEAVE TO FILE A REPLY BRIEF  
IN SUPPORT OF ITS RENEWED MOTION TO DISMISS**

Pursuant to Local Rule 7.1(b)(3), defendant Instron respectfully requests leave to file a six-page reply memorandum, attached hereto as Exhibit A, in support of its Renewed Motion to Dismiss. As grounds for this motion, Instron states as follows:

1. On April 9, 2013, pursuant to leave granted on February 26, 2013, Instron filed a Renewed Motion to Dismiss plaintiff Advanced Technology Corporation's ("ATC") Second Amended Complaint (Dkt. No. 57) with a memorandum in support (Dkt. No. 58).

2. On April 23, 2013, plaintiff ATC filed an opposition to Instron's Renewed Motion to Dismiss (Dkt. No. 59).

3. Good cause exists to grant Instron's request. Allowing Instron to file the attached six-page reply memorandum will permit Instron to address the arguments raised by ATC in its opposition and will assist the Court in resolution of Instron's Renewed Motion to Dismiss.

4. Counsel for plaintiff ATC assents to this request.

WHEREFORE, defendant Instron respectfully requests that this Court GRANT its Motion for Leave to File a Reply Brief in Support of Its Renewed Motion to Dismiss.

Respectfully submitted,

Dated: May 7, 2013

By: /s/ Jane E. Willis

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of Illinois Tool Works Inc.*

**LOCAL RULE 7.1(a)(2) CERTIFICATE**

Pursuant to Local Rule 7.1(a)(2), the undersigned counsel certifies that counsel for the defendant have conferred with counsel for the plaintiff and counsel for the plaintiff assents to this motion.

**CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on May 7, 2013.

Dated: May 7, 2013

By: /s/ Jane E. Willis